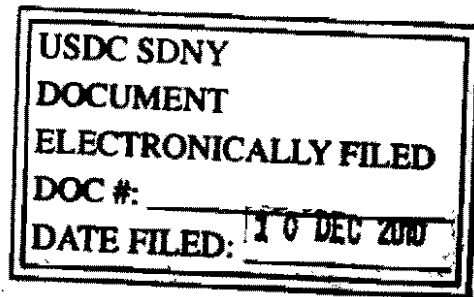


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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PERNOD RICARD USA, LLC,

Plaintiff,

v.

LUXCO, INC.,

Defendant.

10 Civ. 1567 (PAC)

STIPULATION AND ORDER

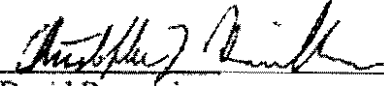
IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, that

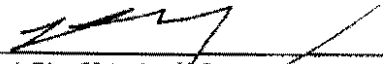
(i) Defendant Luxco, Inc.'s time to answer or otherwise respond to the Amended Complaint herein is adjourned to December 31, 2010, (ii) this Stipulation may be executed in counterparts; and (iii) facsimile and pdf signatures of this Stipulation shall be no less binding than original signatures.

Dated: December 10, 2010
New York, New York


DEBEVOISE & PLIMPTON LLP

MOSES & SINGER LLP

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845446v3 012825.0101

SO ORDERED: 10 DEC 2010

HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE

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December 10, 2010

BY E-MAIL

Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street, Chambers 735
New York, New York 10007

Re: Pernod Ricard USA, LLC v. Luxco, Inc., 10 Civ. 1567 (PAC)

Dear Judge Crotty:

We represent defendant Luxco USA, Inc. ("Luxco"), in the referenced matter. Enclosed is a Stipulation and proposed Order adjourning the time of Luxco to answer or otherwise respond to the Amended Complaint on or before December 31, 2010. The parties request this adjournment in order to continue their settlement discussions.

Pursuant to your Individual Rule 1.E, we provide the following information:

1. The original date for Luxco to answer or otherwise respond to the Amended Complaint is November 1, 2010.
2. Two prior requests to adjourn Luxco's time to answer or otherwise respond to the Amended Complaint have been made.
3. The two prior requests to amend Luxco's time to answer or otherwise respond to the Amended Complaint were granted. In addition, the Court previously granted an adjournment of Luxco's time to answer the Complaint, as originally filed.
4. As established by the Stipulation, Plaintiff, Pernod Ricard USA, LLC, consents to the requested adjournment.
5. No proposed conference date has been scheduled.

MOSES & SINGER LLP

Honorable Paul A. Crotty
December 10, 2010
Page 2

The Court's consideration of this request is greatly appreciated.

Respectfully submitted,


Philippe Zimmerman

Enc.

cc (via email): David Bernstein, Esq.
 Christopher J. Hamilton, Esq.
 Alan Nemes, Esq.
 Michael Annis, Esq.